GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:4060
ANSWERED ON:27.03.2017
Promotion of e-Commerce
Premachandran Shri N.K.

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Government proposes to develop infrastructure facilities of e-commerce in the country and if so, the details thereof;

(b) whether the existing cyber law is not sufficient to meet the requirements of the e-commerce;

(c) if so, the details thereof and the corrective steps taken by the Government in this regard;

(d) the initiatives taken by the Government to provide privacy and security in e-commerce; and
(e) the other steps taken by the Government to promote digital privacy and cyber security in the e-commerce sector?

Answer

???????? ??? ?????? ???????????? (????????? ??????)(??????? ??????? ???????)
THE MINISTER OF STATE (INDEPENDENT CHARGE)
OF THE MINISTRY OF COMMERCE & INDUSTRY
(SHRIMATI NIRMALA SITHARAMAN)

(a): Information & Communication Technology (ICT) infrastructure which includes both wire-line and wireless connectivity is necessary for e-commerce. India, at present, has about 480 million broadband users. Under developed ICT infrastructure, mainly in rural areas, can be a foremost barrier in the growth of electronic commerce. India is implementing a project to provision high speed optical fibre connectivity project namely Bharatnet for more than 2,50,000 Gram Panchayats. Also Cyber Emergency Response team has been established for cyber secured infrastructure.
(b) to (e): India has an Information Technology (IT) Act 2000, which provides legal recognition for the transactions carried by means of electronic data interchange and other means of electronic communication, commonly referred to as "Electronic Commerce".

IT Act, 2000, has adequate provisions to deal with data protection in digital form. This Act is based on the "United Nations Commission on International Trade Law" (UNCITRAL) model Law on Electronic Commerce. Government has enacted the Information Technology (IT) Act, 2000 (21 of 2000) including the amendments in 2008.

Further, IT Act, 2000 permits authentication through electronic signature as well as allows recognition of electronic records.

Section 43, Section 43A and Section 72A of the IT Act, 2000 provide comprehensive legal framework for privacy and security of data in digital form. Section 43A of the IT Act, 2000 and the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011 mandates that body corporate, who collect personal data or information must provide privacy policy for handling of or dealing in personal information including sensitive personal data or information on their websites. They are also required to implement reasonable security practices and procedures to protect the information. Section 72A provides for punishment for disclosure of information in breach of a lawful contract.

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